

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2000B114

ORDER OF THE STATE PERSONNEL BOARD ON REMAND

PERRY VENARD,

Complainant,

vs.

DEPARTMENT OF CORRECTIONS,
ARKANSAS VALLEY CORRECTIONAL FACILITY,

Respondent.

This matter is before the Colorado State Personnel Board (the "Board") at its regularly scheduled public session held on March 15, 2005, to reconsider this case on remand from the November 10, 2004 decision of the Colorado Court of Appeals, Case No. 03CA1797, that vacated the Board's final order and remanded the case for reconsideration with instructions. The Mandate of the Court of Appeals case issued on January 20, 2005. During this public session, the Board considered the record on appeal, including the opinion of the Court of Appeals and the Mandate.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that this matter is remanded for the purpose of taking testimony that could not be transcribed as set forth in the Court of Appeals' decision, including the testimony of the warden and two additional witnesses.

Dated this _____ day of
March, 2005.

John Zakhem
Board Chair
State Personnel Board
1120 Lincoln Street, Suite 1420
Denver, Colorado 80203

CERTIFICATE OF MAILING

This is to certify that on the _____ day of March, 2005, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD ON REMAND** in the United States mail, postage prepaid, addressed as follows:

William S. Finger, Esq.
Frank & Finger, P.C.
29025-D Upper Bear Creek Road
P.O. Box 1477
Evergreen, Colorado 80437-1477

and in the interagency mail, addressed as follows:

Rick Dindinger
Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

Andrew M. Katarikawe
Assistant Attorney General
Business and Licensing Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203
